REMARKS

Claims 1-25 are now pending in this application, with claims 1, 9, 15, 20 and 22 being independent. Claims 1, 9, 22 and 24 have been amended. Favorable reconsideration is respectfully requested.

Claims 1-4 and 6-8 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2001/0053944 A1 (Marks et al); claim 5 was rejected under 35 U.S.C. § 103(a) as obvious from Marks, in view of U.S. Patent Publication No. 2001/0025259 A1 (Rouchon); claims 9-14 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,819,160 (Foladare et al.); and claims 15-25 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,662,231 (Drosset et al). These rejections are respectfully traversed.

The delivery of audio and/or video information over the Internet has experienced considerable growth in recent years, and this form of media is expected to spread even further in the future as bandwidth capabilities expand and the general public becomes more familiar with Internet technology. Conventionally, either a unique content stream is unicast to each intended recipient or a common content stream is multicast to a set of intended recipients. At the listener/viewer's end, hearing or viewing Internet broadcasts requires a computer network Internet connection and an appropriate audio/video player application. Due to the popularity of streaming media over the Internet, several Internet radio and Internet television Web sites that simultaneously distribute content over a number of channels/stations have been proposed or developed.

With the rapid increasing popularity and growth of Internet content delivery systems, the amount of information, e.g., musical content in the case of Internet radio, and the number of stations that must be managed across one or more Web broadcast sites is vast. Consequently, there is a need for a comprehensive, effective, and efficient content management system that has the capability and flexibility to scale with the growth of the

-7-

broadcast/distribution system and the release of new content as well as the ability to support a number of different management users. The present invention provides such systems, in unique ways that are neither taught nor suggested by the prior art.

Independent Claim 1

As recited in independent claim 1, the present invention relates to managing the delivery of content over a network to a user. The system includes a station and playlist for managing the content delivered by one or more stations, in which at least one of the stations includes two or more playlists, and only one specifies the content that may be delivered by that station at any one time. And in accordance with a salient aspect of the claim 1 invention, the user may add content to at least one of those two or more playlists.

Marks relates to an audio Internet navigation system, and describes methods for searching, selecting and playing audio program lists. The Office Action corresponds the claim 1 feature "wherein at least one of said stations includes two or more playlists" to Marks' teaching of a top channel of general programming and one or more side channels of personalized programming.

However, the purpose of Marks is to build personalized playlists through the negative input of the user, by modifying a playlist by selecting songs that a user does not like. That this so is apparent from Marks at paragraph 48, which reads as follows:

> A feature of the invention is to have a playlist
> modified in real time in response to negative inputs.
> By acting negatively to selections of a playlist, the
> playlist can be gradually optimized to best suit the
> listener. However the user does not need to create a
> playlist or find any selections actively. This is the
> concept of "hit the ground running" that was
> mentioned in the Summary section. It means that a
> listener can mold a station's playlist while listening
> is under way. By giving most of the weight to
> negative input according to the invention, the user
> need not seek nor pick any program selections.
> Rather he can merely do what is already natural,

> which is to avoid the offending selections. But
> rather than lose a listener by his switching to a
> competing station, the affiliated station allows the
> user to delete or move aside the currently unwanted
> selection.

(emphasis added). Indeed, as emphasized above, Marks is express that the user does create
playlists or make selections.

In independent claim 1, in stark contrast, the user may add content to at least
one of playlists. In view of this fundamental difference-- between affirmatively building a
playlist by adding desired content on the one hand, and whittling a way under undesired
songs through negative input on the other, Applicants respectfully submit that Marks
cannot possibly anticipate claim 1.

Independent Claim 9

As recited in independent claim 9, the present invention relates to a system for
managing the delivery of content. The system includes a database for storing information
that describes the content that can be delivered, and a request module for allowing new
content to be request. In accordance with a salient aspect of the present invention, the
request module enables the user to request a specific new piece of content, which is not
currently described in the database.

Foladare relates to a programmable radio subscription system, and describes
methods that enable a subscriber to remotely define and identify one or more playlists. The
Office Action notes that in Foladare, the user may key-in or enter for a playlist a new
keyword that is not already present in the subscription content database, and corresponds
this teaching to the claim 9 feature of a request module.

However, In Foadare the keywords re used to retrieve content as follows:

> The main control unit 16 is preferably connected to
> a captioned news service 24, so that particular audio
> news selections may be selectively retrieved by

-9-

> topic using one or more keywords stored in the
> subscription content database 18.

Col. 4:34-38. As is clear from the above, the keyword is used in a very specialized way, namely to retrieve content from a news service corresponding to a general topic. Thus, when a keyword is entered, news relating to that topic is retrieved.

The request module of the present claim 9 invention operates in a very different fashion. More specifically, in Applicants' claim 9, the module allows the user to request not news generally related to a keyword, but rather a specific new piece of content not currently described by information in the database. In view of this fundamental difference between the general and the specific, Applicants respectfully submit that Foladare cannot anticipate claim 9.

Independent Claim 15

As recited in independent claim 15, the present invention relates to a system for managing the delivery of content over a network. The system includes a station module for managing content delivered by on or more stations, and a user module for managing operational access granted to system users. The user module classifies users into at least two categories: a first category having full access privileges and a second having less than full access privileges. In accordance with a salient aspect of the claim 15 invention, second category, users, while having less than full privileges, are provided with privileges to create and edit at least one play list.

Drosset relates to a system for providing subscriber-based audio service over a communication network. The Office Action corresponds the claim 15 feature of the user module classifying users into at least two categories to the teaching of Drosset that reads as follows:

> Generally, the service provided by the present
> invention is a subscription or paid service involving,

> for example, two levels of membership, paying and
> non-paying. The level of membership that a user
> chooses determines their access to functions and
> content in present invention. The paying
> membership requires the user to choose a payment
> schedule and specify a payment method. <u>Users who
> choose not to register will be allowed to search for
> music and transact purchases but will only be
> allowed to listen to promotional albums</u>.

Col. 13: 53-62 (emphasis added).

However, un-registered users in Drosset are not provided with the capability of creating and editing a play list at all. Instead, and in stark contrast to the invention of claim 15, they are merely provided with the capability to search for music, make purchases and listen to promotional albums. None of those capabilities correspond to the privilege of being able to create and edit at least one playlist. In view of the glaring absence of that capability, Applicants respectfully submit that Drosset cannot possibly anticipate to claim 15.

Independent Claim 20

As recited in independent claim 20, the present invention relates to a system for managing the delivery of song content over a network. The system includes a content categorization module that allows a user to assign song content, based on the artist, into super genre and genre categories. As specified in claim 20, each genre category is assigned to only one supergenre, and each artist is assignable to any number of genres.

The Office corresponds the supergenre/genre features of claim 20 with step S56 (Fig. 13) of the logic flow in Drosset, in which user selections are categorized "based on genre, artist, era, other user's selections etc." This teaching, however, is simply a generalized teaching to categorize user selections in accordance with aspects of the song. But it is not at all a teaching of, and in fact is very far from, the inventive hierarchy of the present invention, in which a user is enabled to assign song content into supergenre and

-11-

genre categories, in which each genre is assigned to only one supergenre, and in which each artist is assignable to multiple genres. Devoid as it is of that teaching, Applicants respectfully submit that Drosset cannot anticipate claim 20.

Independent Claim 22

As recited in independent claim 22, the present invention relates to a system for managing the delivery of song content over a network. The system includes a station and play list module for managing content delivered by one or more stations. The system also includes a reporting mode, which compiles data based on content broadcast by the stations, that includes data relating to the popularity of specific content. The system further includes a categorization module for allowing the user to assign song content, based on the artist of each song, into genres and supergenres. Thus, claim 22 recite aspects of the inventive hierarchy of claim 20 discussed above, and Applicants respectfully submit that it is patentable over Drosset for the same reasons.

The Dependent Claims

The remaining claims all depend from one of the independent claims discussed above, and each partakes in the novelty and non-obviousness of its respective base claim. In addition, each recites additional patentable features of the present invention, and individual reconsideration of each is respectfully requested.

CONCLUSION

In view of the foregoing Amendments and Remarks, a Notice of Allowance is earnestly solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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